



Brian D. Lynch

Brian D. Lynch
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

In re:

SHILO INN, PORTLAND/205, LLC,
Debtor and Debtor-in-Possession,

Case No. 22-41459-BDL

**ORDER DISMISSING CHAPTER 11
BANKRUPTCY CASE**

On July 17, 2023, at 10:00 a.m. the Honorable Brian D. Lynch, United States Bankruptcy Judge for the Western District of Washington, Tacoma Division (the "Court") held a hearing (the "Hearing") in the United States Bankruptcy Courthouse located at 1717 Pacific Avenue, Tacoma, Washington 98402, to consider the *Debtor's Motion for Order Dismissing Chapter 11 Bankruptcy Case* (the "Motion") [Dkt. No. 127] filed by Shilo Inn, Portland/205 LLC (the "Debtor") the debtor and debtor possession in the above-captioned chapter 11 bankruptcy case. Appearances were made as set forth on the record of the Court at the Hearing. Initial capitalized terms not otherwise

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STOEL RIVES LLP
ATTORNEYS

600 University Street, Suite 3600, Seattle, WA 98101
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defined in this Order have the same meanings as ascribed to them in the Motion and accompanying Master Statement of Facts.

The Court, having considered the Motion, the notice of the Motion, the declaration of Larry Chank in support of the Motion, proper notice of the hearing and the Motion having been provided, Limited Objection filed by the United States Trustee, Objection filed by Multnomah County DART ("County") and Debtor's Response thereto, the Ex Parte Motion For Authority To File Unredacted Settlement Agreement Under Seal, the agreement reached and described on the record between the Debtor, PDX Shilo Loan Owner LLC ("Lender") and Brian Weiss, in his capacity as Receiver of the estate of Shilo Management Corporation ("SMC"), , the record in the case, the docket in the case, and for good cause appearing, therefor,

HEREBY FINDS that notice of the Hearing and Motion were good and proper under the circumstances of the case; and

HEREBY ORDERS AS FOLLOWS:

1. The Motion is granted as set forth in this Order, incorporating the accompanying Order Granting Debtor's Motion To Approve Settlement With PDX Shilo Loan Owner LLC Pursuant To Rule 9019 Of The Federal Rules Of Bankruptcy Procedure;

2. This chapter 11 bankruptcy case is dismissed pursuant to 11 U.S.C. § 1112(b)(1) with a one-year bar to the Debtor refiling a bankruptcy case, with such bar measured from the date of the entry of this Order.

3. Lender is granted relief from the automatic stay of 11 U.S.C. § 362(a) to continue the non-judicial foreclosure proceeding on the Debtor's property commenced prior to this bankruptcy case and commonly known as the Shilo Inns Portland Airport, having an address at 11707 North East Airport Way, Portland Oregon and more particularly described on Exhibit A hereto (the "Property").

4. Under 11 U.S.C. § 362(d)(4), and provided that this Order is recorded in conformity therewith, this Order terminating the automatic stay under 11 U.S.C. § 362(a) as to Lender's

1 interest in the Property shall be binding in any other case filed under the Bankruptcy Code
2 purporting to affect the Property or other collateral granted to Lender by the Debtor that is filed
3 not later than two years after the date of entry of this Order, such that the automatic stay under 11
4 U.S.C. § 362(a) shall not apply to the Property or other collateral, or Lender's interest therein, for
5 a period of two (2) years after entry of this Order.

6 **IT IS SO ORDERED.**

7 ***[END OF ORDER]***
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1 Presented By:

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3 LEVENE, NEALE, BENDER,
4 YOO & GOLUBCHIK L.L.P.

5 /s/ John-Patrick M. Fritz

6 David B. Golubchik (pro hac vice admitted)
7 John-Patrick M. Fritz (pro hac vice admitted)

8 Attorneys for Debtor and
9 Debtor-in-Possession

10 STOEL RIVES LLP

11 /s/ Bryan T. Glover

12 Bryan T. Glover, WSBA No. 51045
13 Attorneys for Debtor and
14 Debtor-in-Possession
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EXHIBIT A

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EXHIBIT A

LEGAL DESCRIPTION

Parcels 1 and 2, PARTITION PLAT 1991-30, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Beginning at a point in the North line of Block 1, SIVERS INDUSTRIAL PARK, that is South 88° 26' 29" East 109.17 feet from the Northwest corner of said Block 1; thence South 39° 59' 29" West 24.60 feet to a point of curve; thence on the arc of a 49.00 foot radius curve to the left (the chord of which bears South 5° 00' 31" East 69.30 feet) a distance of 76.97 feet to a point in the Northerly right of way of NE Airport Way; thence along said Northerly right of way line South 50° 00' 31" East 181.13 feet to a point of curve; thence on the arc of an 853.51 foot radius curve to the left (the chord of which bears South 52° 47' 01" East 82.64 feet) a distance of 82.68 feet to a point of curve; thence on the arc of a 892.83 foot radius curve to the left (the chord of which bears South 75° 01' 30" East 617.39 feet) a distance of 628.33 feet to a point of tangency; thence North 01° 33' 31" East 384.41 feet; thence North 88° 26' 29" West 802.00 feet, more or less, to the point of beginning.